

## § 47.91

30 CFR Ch. I (7–1–05 Edition)

The Administrative Law Judge may review the citation and supporting documentation “in camera” or issue appropriate orders to protect the trade secret.

## Subpart J—Exemptions

### § 47.91 Exemptions from the HazCom standard.

A hazardous chemical is exempt from this part under the conditions described in Table 47.91 as follows:

TABLE 47.91—CHEMICALS AND PRODUCTS EXEMPT FROM THIS HAZCOM STANDARD

Exemption	Conditions for exemption
Article .....	If, under normal conditions of use, it— (1) Releases no more than insignificant amounts of a hazardous chemical, and (2) Poses no physical or health risk to exposed miners.
Biological hazards .....	All biological hazards, such as poisonous plants, insects, and micro-organisms.
Consumer product or hazardous substance regulated by CPSC.	(1) If the miner uses it for the purpose the manufacturer intended; and (2) Such use does not expose the miner more often and for longer periods than <i>ordinary consumer use</i> .
Cosmetics, drugs, food, food additive, color additive, drinks, alcoholic beverages, tobacco and tobacco products, or medical or veterinary device or product, including materials intended for use as ingredients in such products (such as flavors and fragrances).	When intended for personal consumption or use.
Radiation .....	All ionizing or non-ionizing radiation, such as alpha or gamma, microwaves, or x-rays.
Wood or wood products, including lumber .....	If they do not release or otherwise result in exposure to a hazardous chemical under normal conditions of use. For example, wood is not exempt if it is treated with a hazardous chemical or if it will be subsequently cut or sanded.

### § 47.92 Exemptions from labeling.

A hazardous chemical is exempt from subpart E of this part under the condi-

tions described in Table 47.92 as follows:

TABLE 47.92—HAZARDOUS CHEMICALS EXEMPT FROM LABELING

Exemption	Conditions for exemption
Chemical substance, consumer product, hazardous substance, or pesticide.	When kept in its manufacturer's or supplier's original packaging labeled under other federal labeling requirements.
Hazardous substance .....	When the subject of remedial or removal action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) in accordance with EPA regulations.
Hazardous waste .....	When regulated by EPA under the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act.
Raw material being mined or processed ...	While on mine property, except when the container holds a mixture of the raw material and another hazardous chemical and the mixture is found to be hazardous under § 47.21—Identifying hazardous chemicals.
Wood or wood products, including lumber	Wood or wood products are always exempt from labeling.

[67 FR 42383, June 21, 2002; 67 FR 42366, Sept. 11, 2002; 67 FR 63255, Oct. 11, 2002]

## PART 48—TRAINING AND RETRAINING OF MINERS

### Subpart A—Training and Retraining of Underground Miners

Sec.

48.1 Scope.

48.2 Definitions.

48.3 Training plans; time of submission; where filed; information required; time for approval; method for disapproval; commencement of training; approval of instructors.

48.4 Cooperative training program.